

PATENT
#04-0020-UNI
Case #F3343(C)

O I P E IAP
AUG 13 2007
PATENT & TRADEMARK OFFICE

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to:

"Assistant Commissioner for Patents
Alexandria, VA 22313-1450"

on August 7, 2007

Milton L Honig

MILTON L. HONIG
Reg. No. 28,617
Attorney for Applicant(s)

8/7/07
Date of
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Lindner et al.

Serial No.: 10/582,278

Deposited: June 9, 2006

For: FROZEN CONFECTIONERY PRODUCT COMPRISING ICE
STRUCTURING PROTEINS

Englewood Cliffs, New Jersey 07632
August 6, 2007

SUBMISSION OF MISSING PARTS OF APPLICATION

Assistant Commissioner for Patents

Box: Patent Application
Alexandria, VA 22313-1450

Sir:

In response to the "Notice of Missing Requirements" (copy enclosed) mailed March 28, 2007, from the Patent and Trademark Office, enclosed is a Declaration signed by the inventors, along with a three month extension of time for response to which is being requested..

Please deduct the \$130.00 surcharge from Deposit Account 12-1155. Any deficiency or overpayment should be charged or credited to this Deposit Account. This authorization is submitted in triplicate.

08/15/2007 GFREY1 00000132 121155 10582278

01 FC:1617 130.00 DA

Respectfully submitted,

Milton L Honig

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AUG 13 2007
P A T E N T & T R A D E M A R K
U N I T E D S T A T E S O F F I C E

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/582,278	Nigel Malcolm Nigel	F3343(C)
INTERNATIONAL APPLICATION NO.		
PCT/EP04/10630		
I.A. FILING DATE		PRIORITY DATE
09/20/2004		12/10/2003
CONFIRMATION NO. 2847		
371 FORMALITIES LETTER		
 OC000000023073195		

Date Mailed: 03/28/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/09/2006
- Copy of the International Search Report filed on 06/09/2006
- Copy of IPE Report filed on 06/09/2006
- Copy of Annexes to the IPER filed on 06/09/2006
- Preliminary Amendments filed on 06/09/2006
- Oath or Declaration filed on 06/09/2006
- U.S. Basic National Fees filed on 06/09/2006
- Priority Documents filed on 06/09/2006
- Specification filed on 06/09/2006
- Claims filed on 06/09/2006
- Abstracts filed on 06/09/2006

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APR 2007

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/582,278	PCT/EP04/10630	F3343(C)

FORM PCT/DO/EO/905 (371 Formalities Notice)